

REMARKS/ARGUMENTS

The Examiner is thanked for considering Claims 1-35 to be allowable. With the claim amendments made herein, this case is in condition for allowance.

Status of the Claims and Formal Matters

Claims 1-39 are currently pending in this application. By this paper, Claims 36-39 have been cancelled, without prejudice and solely to expedite prosecution in accordance with the U.S. Patent and Trademark Office Business Goals (65 Fed. Reg. 54604 (September 8, 2000)). Applicants respectfully assert the right to reclaim withdrawn or cancelled subject matter in co-pending applications.

The amendments to the claims are not made for purposes of patentability within the meaning of §§101, 102, 103, or 112. Rather, these amendments are made for clarity and to round out the scope of protection to which Applicants are entitled.

Double Patenting Rejection

Claim 1 was provisionally rejected on the ground of non-statutory obviousness-type double patenting as allegedly being unpatentable over claims 8 and 83 of co-pending Application Ser. No. 10/767,779. The Office Action contends that although the conflicting claims are not identical, they are not patentably distinct from each other because both allegedly read on methods of sequencing a nucleic acid molecule comprising the same steps, including the use of blocked primers for sequencing two or more target regions.

Applicants respectfully submit that Claims 8 and 83 were cancelled in an Amendment and Response to Non-Final Office Action submitted on April 10, 2007 in relation to Application Ser. No. 10/767,779. Therefore, instant Claim 1 and all claims dependent therefrom are considered to be patentably distinct over the now pending claims of 10/767,779. Reconsideration and withdrawal of the obviousness-type double patenting rejection over 10/767,779 are respectfully requested.

Rejections under 35 U.S.C. §§102(a) and 102(b)

Claims 36-38 were rejected under 35 U.S.C. §102(a) as allegedly being anticipated by Murphy et al (Am. J. Pathol. (2002) 161: 27-33; "Murphy"). Claims 36-38 have been cancelled herewith, without prejudice, thereby rendering the rejection moot.

Rejections under 35 U.S.C. §103(a)

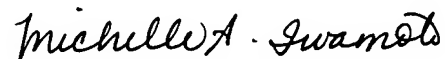
Claim 39 was rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Wiemann in view of Ronaghi et al (Anal. Biochem. (1999) 267: 65-71; "Ronaghi") and further in view of Jin (U.S. Patent No. 6,124,100; "Jin"). Claim 39 has been cancelled herewith, thereby rendering the instant rejection moot.

CONCLUSION

This case is now believed in condition for allowance and favorable action on the merits is respectfully requested. If any discussion regarding this Response is desired, the Examiner is respectfully urged to contact the undersigned at the number given below, and is assured of full cooperation in progressing the application to allowance.

Respectfully submitted,

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